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2005 Summer Seminar Series 5

Tues. Aug 2, 2005

PARTNERSHIPS IN DEMOCRACY & GOVERNANCE: THE GLOBAL DEVELOPMENT ALLIANCE

Session Organizer: Dan Runde, AD/GDA

Rory Donohoe, GDA

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THE ALLIANCE FOR RESTORATIVE JUSTICE, COEXISTENCE AND PEACE

PRESENTED BY OSCAR ROJAS MD. MPH. MSC
EXECUTIVE DIRECTOR
FUNDACIÓN ALVARALICE
CALI, COLOMBIA



America and has at the same time the longest lasting conflict involving guerrillas and paramilitaries, both fueled by the illicit drug trade

- { Revolutionary Armed Forces of Colombia (FARC)

- { National Liberation Army (ELN)

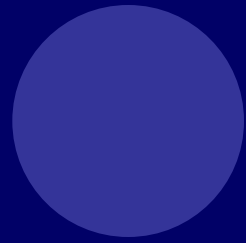
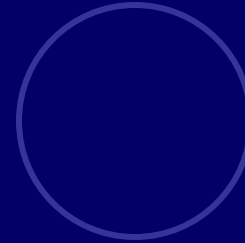
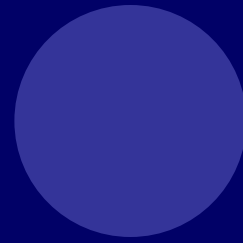
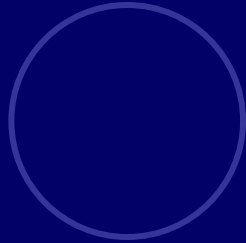
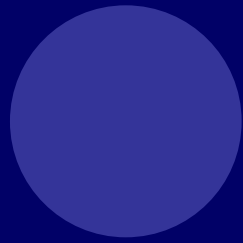
- { United Self-defense Forces of Colombia (AUC)

- z Hundreds of thousands of victims
- z Deepening of marginalization & poverty
- z Use of force has not been the panacea
- z Social investment must be the axis for the reconstruction of Colombia



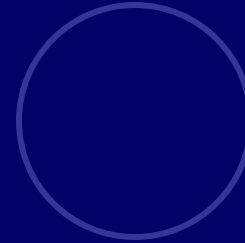
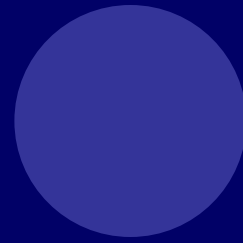
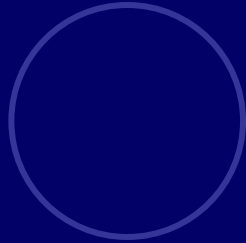
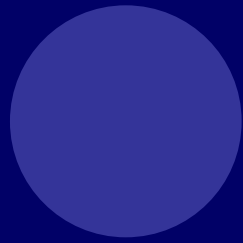
- z Favorable conditions include: Long term commitment to democratic processes, demonstrated capacity to political and social change, a functioning judicial structure and strong public support to the current administration.
- z Government has been forced to negotiate with each armed group separately
- z Government should negotiate within a scrutinized political context, both on a national and global scale





- z Seeks a balance between the need for Peace and the need for Justice
- z Will be universal in its application (guerrilla & paramilitary)
- z Distinction between rank and file and leaders or material and intellectual authors of violent crimes
- z For heinous crimes, sentences could not be less than 5 years with a maximum of 8 years
- z Full and accurate confession is a condition to obtain the legal benefits. Any crime not confessed can be investigated and tried by ordinary courts
- z the law
- z The Law does not block extradition





z

collaborating with justice, and repairing the victims

- z To benefit from the Law, combatants should turn in weapons, release hostages and identify and hand over ill gotten assets
- z With regard to sentences, it is stated that the time spent in the designated zones will be considered as time of the alternative penalty, without exceeding eighteen months
- z A Reparation Fund is established with all recovered assets handed in by former combatants.
- z A National Commission of Reparation and Reconciliation, with regional correspondents named Restitution Commissions, will be created to address issues of truth, justice and reparation of victims
- z Restorative Justice will be used to mediate the approach between perpetrators & victims and to enhance the reparation processes

THE WICKED GAME

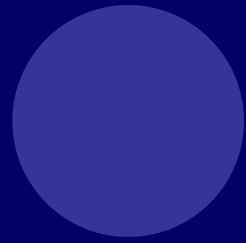
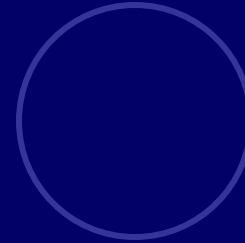
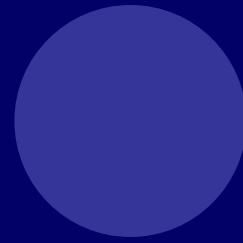
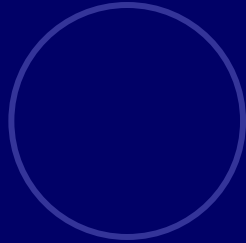
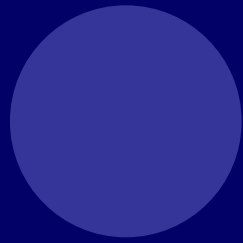


- z Moral maximalism: highest standards for truth, justice and reparation.....Too severe and make peace impossible...
- z Moral Pragmatism: lowest standards....indignation and rejection both, nationally and internationally
- z Balance between the requirements for peace and the need for justice
- z Transitional justice applied in Latin American countries where a transition to democracy has taken place: (Guatemala, El Salvador, Argentina Chile and Uruguay)

SOME OPINIONS AND FACTS FROM COLOMBIANS



- z "In view of a definite peace and of a conflict that will be coming to an end, we will all accept less justice, less truth and less reparations, without the moral and ethical objections or the appeals to eternal principles which are made today by those who pose like the protectors of a fundamentalist and dogmatic justice."
- z "In the past, none of the numerous peace agreements that have been signed between the Colombian government and rebel groups have imposed conditions as strict and demanding as those of the Justice and Peace Law."
- z "Impunity is not responsible for perpetuating war, and punishment will never guarantee us peace. The reasons for our violence have to be found elsewhere, and they are political rather than penal."



several Colombian institutions with USAID to introduce restorative justice to Colombia in order to mitigate the lasting impacts of the country's troubled history.

By applying the restorative justice model pioneered in South Africa, Northern Ireland, and other post-conflict situations, the alliance provides a way for of its past.

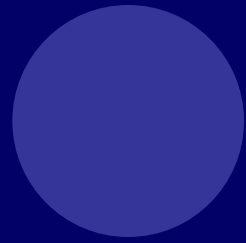
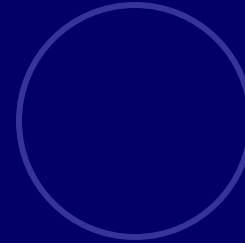
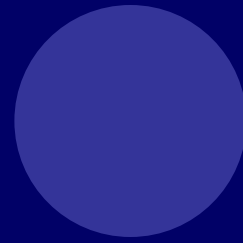
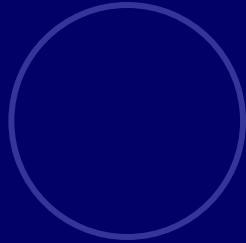
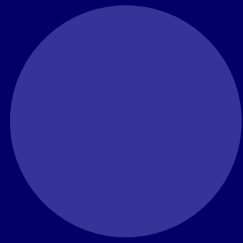


The alliance combines the strengths of different CSO's in poverty alleviation , peacebuilding and income generating activities.

PARTNERS

- z AlvarAlice Foundation
- z Javeriana University Cali
- z Peace and Well-being Foundation
- z Synergos Institute
- z USAID
- z VallenPaz Corporation
- z Corona Foundation





- z International Symposium on Restorative Justice and Peace in Colombia
- z Coexistence and Peace Centers in Colombia
 - { Urban component
 - { Rural
 - { Academic
- z Support Program for a National Reparation, Restitution and Reconciliation Strategy
(Currently under development)



- z An International Symposium carried out with 1,500 attendees, 36 international and 112 national experts, and the participation of high ranking government officials including President Alvaro Uribe and Nobel Peace Prize winner Desmond Tutu



- z Legislation for demobilizing and reintegrating former combatants influenced by the restorative justice model
- z Five new restorative justice centers established to serve hundreds of marginalized urban households
- z Some 3,500 rural households provided with conflict management training, agricultural extension and marketing services to prevent domestic and community violence, improving the residents' livelihoods
- z Humanitarian law and restorative justice curriculum introduced at Colombian universities

INTERNATIONAL SYMPOSIUM ON RESTORATIVE JUSTICE AND PEACE IN COLOMBIA

- z In the words of Archbishop Desmond Tutu, "Restorative Justice is the systematic response to wrongdoing that emphasizes the healing of wounds caused or revealed by the criminal behavior."



INTERNATIONAL SYMPOSIUM ON RESTORATIVE JUSTICE AND PEACE IN COLOMBIA

- z The Symposium highlighted “a new language for dealing with past conflict: the language of reconciliation,” said Dr. Pumla Gobodo-Madikizela, Professor of Psychology at the University of Cape Town.



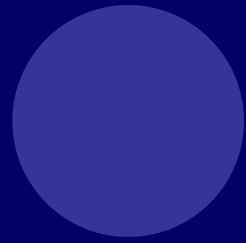
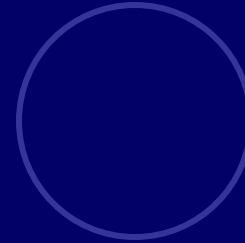
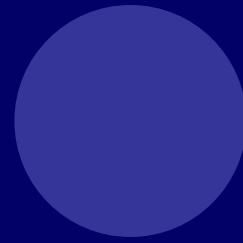
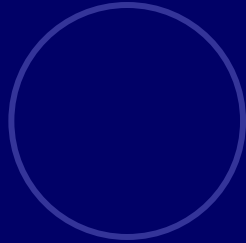
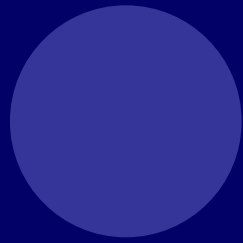
- z Restorative Justice should be seen and used as a complement and not a substitute for the traditional system of law.
- z In addition, the community needs to be seen as a key element of a well-functioning Restorative Justice system.



PEACE RESTORATION CENTERS

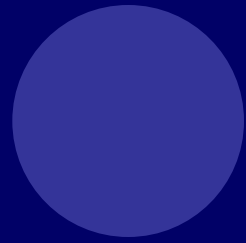
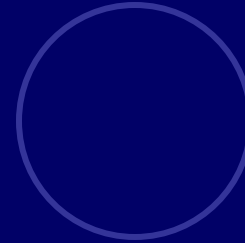
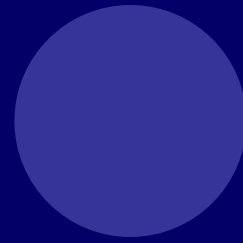
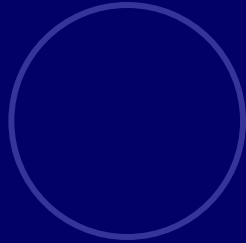
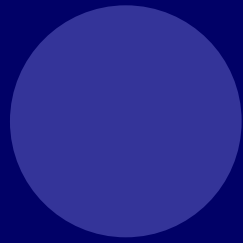
- z Geographic areas where a series of social and economic interventions are directed towards the reconstruction of social fabric, conflict resolution, and environmental protection
- z 5 urban and 10 rural Centers
- z Grass-roots engagement via Fundación Paz y Bien and Vallenpaz Corporation





- z Promotion of Restorative Justice and Human Rights
- z Decline in violence
- z Institutional strengthening of CSO's / NGO's
- z Development of income generating projects
- z Partner: Fundación Paz y Bien





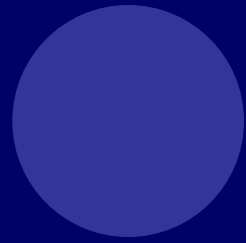
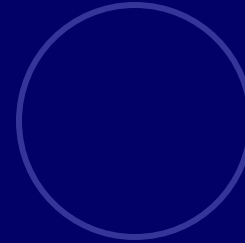
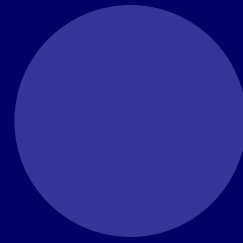
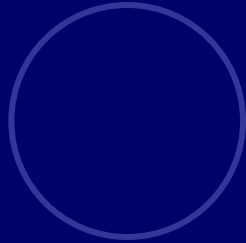
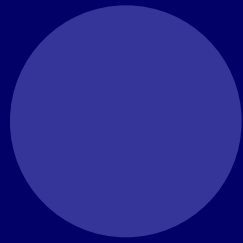
- z Enhanced community sustainability through the promotion of organic agriculture, water shed protection, fair marketing of agricultural products, etc.
- z Promotion of Restorative Justice and Human Rights
- z Decline in violence
- z Improved living conditions
- z Improved social and physical infrastructure
- z Partner: Vallenpaz Corporation



OBJECTIVES OF THE ACADEMIC COMPONENT

- z Document, systematize and disseminate international and national experiences on Restorative Justice
- z Incorporate contents of Restorative Justice in the curriculum of at least three law & political science schools
- z Partner: Javeriana University Cali and Corona Foundation

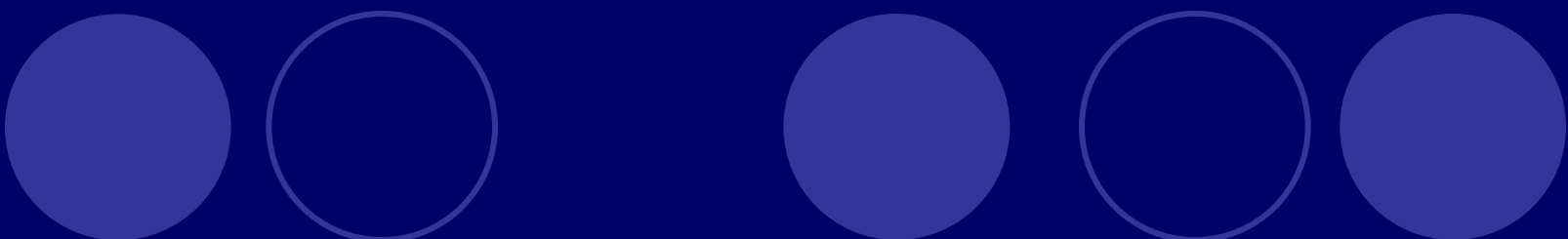




GENERAL OBJECTIVE:

- z Assist in the design and establishment of a national strategy for Reparation, Restitution and Reconciliation, with proper attention to the victims, based on Restorative Justice principles
- z Undertake economic productive and micro-credit projects in different regions of Colombia as a way to promote social and economic development, through the training and technical assistance of displaced people, ex-combatants and the recipient communities

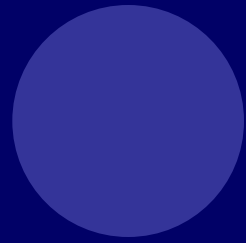
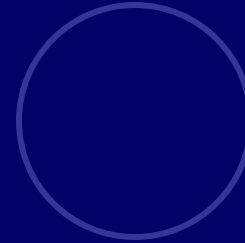
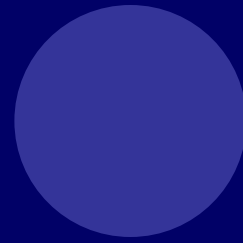
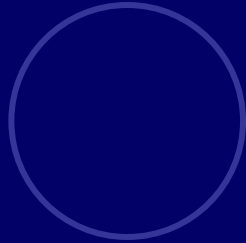
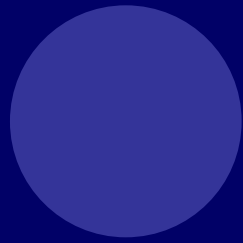




complement to the Justice and Peace law. The Centers will be the places where truth telling and reparations associated to the judiciary procedures will be carried out.

- z Contribute to the development and organization of a system of reparations that takes into account various international experiences, conceptual changes and the issues that are unique to the Colombian case.
- z Design a productive development strategy that facilitates social and economic reintegration of displaced population groups, ex-combatants and the recipient communities.





- z Working together in a synergistic way is the most advantageous way to address social development
- z Programs directed to address youth to youth violence should have income generating components
- z Local governments have proved to be appropriate partners, though most of them need technical and financial assistance
- z Member of the alliance can benefit greatly from each other experiences, but need to push forward their own strategies, particularly those that have proved to be successful
- z International cooperation has a catalytic effect, facilitating the leverage of local funding for social and economic development programs





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**JOIN US NEXT WEEK: Tues. Aug 9, 2005 for
2005 Summer Seminar Series, # 6**

FOREIGN AID IN THE WAR ON TERRORISM

Session Organizer: **Gary Vaughan, PPC/ESPA**

Here at the Center for Association Leadership

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